

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	Case No.: 5:07 CR 111-01
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	
)	
RAFAEL ORDONEZ-PEREZ,)	<u>ORDER ACCEPTING PLEA</u>
)	<u>AGREEMENT, JUDGMENT</u>
)	
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Patricia A. Hemann, regarding the change of plea hearing of Rafael Ordonez-Perez, which was referred to the Magistrate Judge with the consent of the parties.

On February 28, 2007 the government filed a two-count indictment charging Defendant Rafael Ordonez-Perez, with false claim of United States citizenship, as defined in Title 18, United States Code, Section 911.

On March 7 , 2007, a hearing was held in which Defendant Ordonez-Perez, entered a plea of not guilty before Magistrate Judge Gallas. On April 25, 2007, Magistrate Judge Patricia A. Hemann received Defendant Ordonez-Perez's plea of guilty to count 1, and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of

guilty entered. Magistrate Judge Hemann filed her R&R on April 25, 2007.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Ordonez-Perez is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Ordonez-Perez is adjudged guilty of Count One in violation of Title 18 Section 911.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE